

March 23, 2004

Mr. Mark E. Warner, Site Vice President
c/o James M. Peschel
Seabrook Station
FPL Energy Seabrook, LLC
PO Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE:
RELOCATION OF CYCLE-SPECIFIC PARAMETERS TO THE CORE
OPERATING LIMITS REPORT (TAC NO. MB4918)

Dear Mr. Warner:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Amendment No. 96 to Facility Operating License No. NPF-86 for the Seabrook Station, Unit No. 1 (Seabrook Station), in response to the application dated April 15, 2002, filed by North Atlantic Energy Service Corporation (NAESCO), then-licensee for Seabrook Station. On November 1, 2002, the NRC approved the transfer of the license for Seabrook Station, to the extent held by NAESCO, and certain co-owners of the facility, on whose behalf NAESCO was also acting, to FPL Energy Seabrook, LLC (FPLE Seabrook). By letter dated December 20, 2002, FPLE Seabrook requested that the NRC continue to review and act upon all requests before the Commission that had been submitted by NAESCO. FPLE Seabrook subsequently supplemented the application by letter dated January 14, 2004.

The amendment revises the Technical Specifications (TSs) to relocate the boron concentration limits contained in certain TSs to the Core Operating Limits Report (COLR). The amendment relocates portions of TS 2.1 "Safety Limits" to the COLR. Limiting conditions and actions for TSs 2.1.1 and 2.1.2 are revised to be consistent with the Improved Standard Technical Specifications. Additionally, departure from nucleate boiling related parameters, as specified in TS 3/4.2.5, are relocated to the COLR. TS 6.8.1.6, "Core Operating Limits Report," and its associated Bases are revised consistent with the above changes. Editorial and administrative changes, consistent with this revision, are also made.

M. Warner

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A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

/RA/

Victor Nerses, Senior Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosures: 1. Amendment No. 96 to NPF-86
2. Safety Evaluation

cc w/encls: See next page

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M. Warner

- 2 -

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

/RA/

Victor Nerses, Senior Project Manager, Section 2
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Docket No. 50-443

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2. Safety Evaluation

cc w/encls: See next page

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FPL ENERGY SEABROOK, LLC, ET AL.*

DOCKET NO. 50-443

SEABROOK STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 96
License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - (1) The application for amendment filed by FPL Energy Seabrook, LLC, et al. (the licensee), dated April 15, 2002, as supplemented January 14, 2004, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - (2) The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - (3) There is reasonable assurance: (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - (4) The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - (5) The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

*FPL Energy Seabrook, LLC (FPLE Seabrook), is authorized to act as agent for the following: Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Light Plant. FPLE Seabrook has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-86 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 96, and the Environmental Protection Plan contained in Appendix B are incorporated into Facility License No. NPF-86. FPLE Seabrook shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Darrell J. Roberts, Acting Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: March 23, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 96

FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

Replace the following page of the Appendix A, Technical Specifications, with the attached revised page as indicated. The revised page is identified by amendment number and contains marginal lines indicating the area of change.

<u>Remove</u>	<u>Insert</u>
ii	ii
2-1	2-1
2-2	2-2
B 2-1	B 2-1
B 2-2	B 2-2
---	B 2-2a
---	B 2-2b
---	B 2-2c
B2-5	B 2-5
3/4 1-1	3/4 1-1
3/4 1-3	3/4 1-3
3/4 1-14	3/4 1-14
3/4 2-10	3/4 2-10
3/4 5-1	3/4 5-1
3/4 5-11	3/4 5-11
3/4 9-1	3/4 9-1
6-18	6-18
6-18A	6-18A
6-18B	6-18B
6-18E	6-18E
B 3/4 1-1	B 3/4 1-1
B 3/4 1-3	B 3/4 1-3
B 3/4 2-4	B 3/4 2-4
B 3/4 9-1	B 3/4 9-1
B 3/4 9-2	B 3/4 9-2

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 96 TO FACILITY OPERATING LICENSE NO. NPF-86

FPL ENERGY SEABROOK, LLC

SEABROOK STATION, UNIT NO. 1

DOCKET NO. 50-443

1.0 INTRODUCTION

By application dated April 15, 2002, North Atlantic Energy Service Corporation (NAESCO), then-licensee for Seabrook Station, Unit No. 1 (Seabrook Station), submitted a request for an amendment to License No. NPF-86. On November 1, 2002, the Nuclear Regulatory Commission (NRC or the Commission) approved the transfer of the license for Seabrook Station, to the extent held by NAESCO, and certain co-owners of the facility, on whose behalf NAESCO was also acting, to FPL Energy Seabrook, LLC (FPLE Seabrook). By letter dated December 20, 2002, FPLE Seabrook requested that the NRC continue to review and act upon all requests before the Commission that had been submitted by NAESCO. FPLE Seabrook subsequently supplemented the application by letter dated January 14, 2004. The January 14, 2004, letter provided clarifying information that did not change the initial proposed no significant hazards determination nor expand the amendment beyond the scope of the initial notice.

The proposed amendment adopts the generic Technical Specifications (TSs) changes approved in Generic Letter (GL) 88-16, "Removal of Cycle Specific Parameter Limits from Technical Specifications"; WCAP-14483-A, "Generic Methodology for Expanded Core Operating Limits Report"; and the Standard Technical Specifications (STS) for Westinghouse Plants, NUREG-1431, Revision 2. Prescriptive boron concentration limits are relocated consistent with GL 88-16. Departure from nucleate boiling (DNB)-related parameters are relocated consistent with WCAP-14483-A and GL 88-16. In addition, portions of TS 2.1 are relocated to the Core Operating Limits Report (COLR) consistent with WCAP-14483-A. Technical Specifications 2.1.1 and TS 2.1.2 are also revised to be consistent with the STS. Furthermore, TS 6.8.1.6, "Core Operating Limits Report," is revised to reflect the above changes and to incorporate editorial and administrative changes consistent with the STS.

2.0 REGULATORY EVALUATION

Relocation of TS limits to a COLR was authorized originally by GL 88-16. Such relocations have subsequently been approved by Technical Specification Task Force (TSTF) and incorporated into the STS NUREGs. To relocate a cycle-specific parameter or TS limit to a COLR, the following must be satisfied, as set forth in GL 88-16 and the STS: the COLR must

be defined in the TS, an administrative controls COLR reporting requirement must be established in the TS, and an NRC-approved methodology for determining the parameter limit must be listed in the administrative controls TS along with the applicable specifications.

NAESCO was authorized to implement GL 88-16 in the Seabrook Station Operating License (Amendment No. 9) on February 18, 1992. That amendment and subsequent license amendments authorized relocation of various cycle-specific parameters to the COLR. This proposed change relocates prescriptive boration concentration requirements, DNB-related parameters, and safety limit (SL)-related operating figures from the Seabrook Station TSs to the COLR. The affected core operating limits shall be determined using NRC-approved methodologies that will be listed in TS 6.8.1.6.b. The cycle-specific parameter limits do not need to be included in the TSs and are adequately controlled in the COLR in accordance with TS 6.8.1.6. Technical Specification 6.8.1.6.c requires the COLR to be submitted to the NRC each reload cycle, including any mid-cycle revisions or supplements. Relocation of cycle-specific limits from the TS to the COLR is consistent with GL 88-16, WCAP-14483-A, and STS NUREG-1431, Revision 2.

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.36, each license authorizing operation of a utilization facility must include TSs. Section 50.36 of 10 CFR requires that the TSs include items in eight specific categories: 1) safety limits, limiting safety system settings, and limiting control settings; 2) limiting conditions for operation (LCOs); 3) surveillance requirements; 4) design features; 5) administrative controls; 6) decommissioning; 7) initial notification; and 8) written reports. Pursuant to 10 CFR 50.36(c)(2)(ii), there are four criteria used to determine if an LCO must be established in the TS. The four criteria are as follows:

1. Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.
2. A process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier.
3. A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.
4. A structure, system, or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

Pursuant to 10 CFR 50.90, the licensee may request an amendment to the TSs to relocate selected requirements to other licensee-controlled documents, provided the requirements do not meet any of the above noted criteria of 10 CFR 50.36(c)(2)(ii).

Furthermore, there are two classes of changes to TSs: (1) changes needed to reflect modifications to the design basis (TSs are derived from the design basis), and (2) changes to reflect the evolution in policy and guidance as to the required content and preferred format of TSs over time. In determining the acceptability of such changes, the staff considers the

requirements of 10 CFR 50.36, using as a model the accumulation of generically-approved guidance in NUREG-1431, Revision 2, "Improved Standard Technical Specifications, Westinghouse Plants (ISTS)." Within this general framework, licensees may revise the remaining TSs to adopt current ISTS format and content, provided that plant-specific review supports a finding of continued adequate safety based on one of the following: (1) the change is editorial, administrative, or provides clarification (i.e., no requirements are materially altered); (2) the change is more restrictive than the licensee's current requirement; or (3) the change is less restrictive than the licensee's current requirement, but nonetheless still affords adequate protection of the public health and safety when judged against current regulatory standards. The staff has reviewed the licensee's proposed relocations, pursuant to 10 CFR 50.36, to determine the acceptability of relocating these items from the TSs to the COLR.

3.0 TECHNICAL EVALUATION

3.1 TS 3/4.1.1, "Boration Control"

The following prescriptive boron concentration limits are relocated: TS 3/4.1.1.1, "Boration Control Shutdown Margin- T_{avg} Greater than or Equal to 200 °F"; TS 3/4.1.1.2, "Boration Control Shutdown Margin- T_{avg} Less than or Equal to 200 °F"; TS 3/4.1.2.5, "Borated Water Sources - Shutdown"; TS 3/4.1.2.6, "Borated Water Sources Operating"; TS 3/4.2.7, "Isolation of Unborated Water Sources"; TS 3/4.5.1.1, "Accumulators"; TS 3/4.5.4, "Refueling Water Storage Tank"; and TS 3/4.9.1, "Boron Concentration," consistent with GL 88-16. Boron concentration limits, which are generated using NRC-approved methodologies, are cycle-dependent and qualify for relocation to the COLR. Technical Specification 3/4.9.1 states the requirements for these limits. Since it is imperative to raise the boron concentration of the reactor coolant system (RCS) as soon as possible when required by the TSs, the boron concentration should be a highly concentrated solution, such as that normally found in the boric acid makeup tanks or the refueling water storage tank. The operator should borate with the best source available for the plant conditions. Relocation of these boron concentration limits will provide FPLE Seabrook operational flexibility to make changes, in accordance with NRC-approved methodologies, without requiring a license amendment every time boron concentration values change.

The staff evaluated TS 3/4.1.1 against the four criteria set forth in 10 CFR 50.36(c)(2)(ii), using NUREG-1431 as guidance. The boration subsystem, borated water sources, and the chemistry limits are not a form of instrumentation or a process variable, design feature or operating restriction that is an initial condition of a design basis accident (DBA) or transient. Therefore, Criteria 1 or 2 do not apply.

The boration subsystem and borated water sources are categorized as a structure, system, or component (SSC). However, the boration function of the system to maintain shutdown margin (SDM) is not a primary success path that functions or actuates to mitigate a DBA or a transient. The accident analyses assume that the required SDM at the start of an accident has been established since the TS SDM requirements have to be met before entering a certain plant operating mode. This existing SDM provides sufficient time for the plant operators to recognize and terminate the event prior to a complete loss of SDM. Given this consideration, Criterion 3 does not apply.

The chemistry limits are not an SSC that is part of the primary success path to mitigate a DBA or transient that presents a challenge to the integrity of a fission product barrier. Therefore, Criterion 3 does not apply.

The boration subsystem and borated water sources, as modeled in the current Seabrook Station Probabilistic Safety Study (SSPSS), have a low risk contribution. Technical Specification 3.4.7 ensures RCS integrity by maintaining proper chemistry limits to minimize corrosion. The chemistry limits are not an SSC and have not been modeled in the SSPSS. Chemistry limits are also not an SSC for which operating experience or probabilistic risk assessment have shown to be significant to public health and safety. Therefore, Criterion 4 does not apply.

Based on the discussion above, the four criteria in 10 CFR 50.36(c)(2)(ii) do not apply to the limits addressed by TS 3.1.1. Therefore, the aforementioned limits in this TS section may be relocated to other licensee-controlled documents. The licensee proposed to relocate these limits to its COLR, which is referenced in the Seabrook Station Updated Final Safety Analysis Report (UFSAR). All changes to the COLR are evaluated in accordance with the process described in 10 CFR 50.59. Therefore, any changes to this system would still be covered by NRC regulatory controls.

3.2 TS 3/4.9.1, "Boron Concentration"

The limiting condition "a" (k_{eff} of 0.95 or less) is deleted since it is redundant in light of the boron concentration value of limiting condition "b," which is derived based upon achieving a k_{eff} of 0.95 or less. This change is consistent with the STS NUREG-1431, Revision 2.

The staff evaluated TS 3/4.9.1 against the four criteria set forth in 10 CFR 50.36(c)(2)(ii), using NUREG-1431 as guidance. Boron concentration is not a form of instrumentation or a process variable, design feature or operating restriction that is an initial condition of a DBA or a transient. Therefore, Criteria 1 or 2 do not apply.

Boron concentration is a chemistry limit. Chemistry limits are not an SSC that is part of the primary success path to mitigate a DBA or transient that presents a challenge to the integrity of a fission product barrier. Therefore, Criterion 3 does not apply. Chemistry limits are also not an SSC for which operating experience or probabilistic risk assessment have shown to be significant to public health and safety. Therefore, Criterion 4 does not apply.

Based on the discussion above, the four criteria in 10 CFR 50.36(c)(2)(ii) do not apply to the limits addressed by TS 3/4.9.1. Therefore, the aforementioned limits in this TS section may be relocated to other licensee-controlled documents. The licensee proposed to relocate these limits to its COLR, which is referenced in the Seabrook Station UFSAR. All changes to the COLR are evaluated pursuant to 10 CFR 50.59. Therefore, any changes to this system would still be covered by NRC regulatory controls.

3.3 TS 2.1, "Safety Limits" TS 3/4.2.5, "DNB Parameter"

The DNB-related parameters in TS 2.1.1 (Figure 2.1-1), and in TS 3/4.2.5, are acceptable for relocation to the COLR. The operating limits relocated from TS 2.1.1 are replaced by more

specific safety limit requirements (i.e., the fuel DNB design basis and the fuel centerline melt design basis). The operating limitations on the combinations of thermal power, pressurizer pressure, and RCS temperature, in Figure 2.1-1, will be controlled by the COLR. The presentation of the SL in TS 2.1.1, TS 2.1.2, and TS 2.1.3 are revised to be consistent with that of the STS NUREG 1431, Revision 2.

The staff evaluated TS 2.1 and TS 3/4.2.5 against the four criteria set forth in 10 CFR 50.36(c)(2)(ii), using NUREG-1431 as guidance. The operating limits and DNB Parameters are not a form of instrumentation or a process variable, design feature or operating restriction that is an initial condition of a DBA or a transient. Therefore, Criteria 1 or 2 do not apply. They are not an SSC that is part of the primary success path to mitigate a DBA or transient that presents a challenge to the integrity of a fission product barrier. Therefore, Criterion 3 does not apply. They are not an SSC for which operating experience or probabilistic risk assessment has shown to be significant to public health and safety. Therefore, Criterion 4 does not apply.

Based on the discussion above, the four criteria in 10 CFR 50.36(c)(2)(ii) do not apply to the limits addressed by TS 2.1 and TS 3/4.2.5. Therefore, the aforementioned parameters and limits may be relocated to other licensee-controlled documents. The licensee proposed to relocate these TSs to its COLR, which is referenced in the Seabrook Station UFSAR. All changes to the COLR are evaluated pursuant to 10 CFR 50.59. Therefore, any changes to this system would still be covered by NRC regulatory controls.

3.4 TS 6.8.1.6, "Core Operating Limits Report"

This TS is revised to include reference to the information that is now relocated to the COLR, and also references the relocated limits along with the associated NRC-approved methodologies. These are administrative changes needed to implement the relocation of cycle-specific parameter limits to the COLR. These changes are consistent with GL 88-16 and STS NUREG-1431, Revision 2. Relocation of cycle-specific parameters from the TS to the COLR, a licensee-controlled document subject to the requirements of TS 6.8.1.6 and the requirements of 10 CFR 50.59, affords Seabrook Station the flexibility to revise cycle-specific parameters, in accordance with NRC-approved methodologies, without the need for license amendment submittals. Technical Specification 6.8.1.6.c still requires copies of the revised COLR to be submitted to the NRC for each reload cycle, including any mid-cycle revisions or supplements. Thus, the resources of both Seabrook Station and the NRC will be more efficiently utilized by minimizing repetitive licensing amendment submittals associated with revising cycle-specific parameters.

The staff evaluated the relocation of the proposed core operating limits from TS 6.8.1.6 to the COLR against the four criteria set forth in 10 CFR 50.36(c)(2)(ii), using NUREG-1431 as guidance. These limits are not a form of instrumentation or a process variable, design feature or operating restriction that is an initial condition of a DBA or a transient. Therefore, Criterion 1 or 2 do not apply. They are not an SSC that is part of the primary success path to mitigate a DBA or transient that presents a challenge to the integrity of a fission product barrier. Therefore, Criterion 3 does not apply. They are not an SSC for which operating experience or probabilistic risk assessment has shown to be significant to public health and safety. Therefore, Criterion 4 does not apply.

Based on the discussion above, the four criteria in 10 CFR 50.36(c)(2)(ii) do not apply to the proposed limits that are being relocated. Therefore, the aforementioned limits may be

relocated to other licensee-controlled documents. The licensee proposed to revise this TS to include reference to the information now relocated to the COLR. All changes to the COLR are evaluated pursuant to 10 CFR 50.59. Therefore, any changes to this system would still be covered by NRC regulatory controls.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Hampshire and Massachusetts State officials were notified of the proposed issuance of the amendment. The State officials had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

This amendment does not involve a significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (67 FR 36931). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: T. Tjader
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Date: March 23, 2004